

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SAM YASSIN,

Plaintiff

v.

NEVADA STATE,

Defendant

Case No. 2:22-cv-00446-GMN-DJA

ORDER

I. DISCUSSION

On March 10, 2022, Plaintiff, an inmate currently located at the Clark County Detention Center, submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff has not submitted a complaint in compliance with Local Special Rule 2-1 or an application to proceed *in forma pauperis* or paid the full \$402 filing fee in this matter.

Complaint

The Court notes that Plaintiff's document at ECF No. 1-1 does not comply with Local Special Rule 2-1 ("LSR 2-1"). Under LSR 2-1, a civil rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by the court or must be legible and contain substantially all the information called for by the court's form. As such, the Court grants Plaintiff a **one-time** extension until on or before **May 16, 2022** to submit complaint to the Court in compliance with LSR 2-1. The Court will also provide Plaintiff a copy of the Court's § 1983 complaint form with instructions.

Additionally, the Court notes that Plaintiff must list the number assigned to this case in the caption on his documents, not the number of any case that involves him in state court. To the extent Plaintiff is trying to file documents in any state court case, such as A-21-829727-C as listed in Plaintiff's documents, Plaintiff has failed to do so, and the Court will not send his documents to the state court.

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1 **Application to Proceed in Forma Pauperis**

2 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin
3 a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil
4 action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the
5 inmate must submit all three of the following documents to the Court:

6 (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this
7 Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on
8 page 3),

9 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
10 official (i.e. page 4 of this Court's approved form), and

11 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
12 **previous six-month period**. If Plaintiff has not been at the facility a full six-month period,
13 Plaintiff must still submit an inmate account statement for the dates he has been present
14 at the facility.

15 The Court will grant Plaintiff a **one-time** extension to file a fully complete
16 application to proceed *in forma pauperis* containing all three of the required documents,
17 or in the alternative, pay the full \$402 filing fee for this action on or before **May 16, 2022**.
18 Absent unusual circumstances, the Court will not grant any further extensions of time. If
19 Plaintiff does not file a fully complete application to proceed *in forma pauperis* with all
20 three required documents or pay the full \$402 filing fee on or before **May 16, 2022**, this
21 case will be subject to dismissal without prejudice for Plaintiff to file a new case with the
22 Court when Plaintiff has all three of the documents needed to file a fully complete
23 application to proceed *in forma pauperis* or pays the full \$402 filing fee.

24 A dismissal without prejudice means Plaintiff does not give up the right to refile the
25 case with the Court, under a new case number, when Plaintiff has all three documents
26 needed to submit with an application to proceed *in forma pauperis*. Alternatively, Plaintiff
27 may choose not to file an application to proceed *in forma pauperis* and instead pay the
28 full filing fee of \$402 on or before **May 16, 2022** to proceed with this case.

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send to
3 Plaintiff the approved form for filing a § 1983 complaint, instructions for the same, and a
4 copy of his original document at Docket No. 1-1.

5 IT IS FURTHER ORDERD that Plaintiff will have until on or before **May 16, 2022**
6 to submit complaint to the Court in compliance with LSR 2-1.

7 IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint in compliance
8 with LSR 2-1 on or before **May 16, 2022**, this case will be subject to dismissal without
9 prejudice for Plaintiff to refile the case with the Court, under a new case number, when
10 Plaintiff is able to file a complaint in compliance with LSR 2-1.

11 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the
12 approved form application to proceed *in forma pauperis* by an inmate, as well as the
13 document entitled information and instructions for filing an *in forma pauperis* application.

14 IT IS FURTHER ORDERED that on or before **May 16, 2022**, Plaintiff will either pay
15 the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52
16 administrative fee) or file with the Court:

17 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this
18 Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two
19 signatures on page 3),

20 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
21 official (i.e. page 4 of this Court's approved form), and

22 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
23 **previous six-month period**. If Plaintiff has not been at the facility a full six-month period,
24 Plaintiff must still submit an inmate account statement for the dates he has been present
25 at the facility.

26 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete
27 application to proceed *in forma pauperis* with all three documents or pay the full \$402
28 filing fee for a civil action on or before **May 16, 2022**, this case will be subject to dismissal

1 without prejudice for Plaintiff to refile the case with the Court, under a new case number,
2 when Plaintiff has all three documents needed to file a complete application to proceed
3 *in forma pauperis* or pays the full \$402 filing fee.

4 DATED: March 17, 2022

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6 UNITED STATES MAGISTRATE JUDGE